

Dated: July 31, 1995.

**Gerald Taché,**

*Departmental Forms Clearance Officer, Office of Management and Organization.*

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## International Trade Administration

[A-428-820]

### Notice of Antidumping Duty Order and Amended Final Determination: Certain Small Diameter Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe From Germany

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**EFFECTIVE DATE:** August 3, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Irene Darzenta or Fabian Rivelis, Office of Antidumping Duty Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-6320 or (202) 482-3853, respectively.

### Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

### Amended Final Determination

In accordance with section 735(a) of the Tariff Act of 1930, as amended (the Act), on June 12, 1995, the Department made its final determination that certain small diameter seamless carbon and alloy steel standard, line and pressure pipe (seamless pipe) from Germany is being, or is likely to be, sold in the United States at less than fair value (60 FR 31974, June 19, 1995). After publication of this determination, we received submissions, timely filed pursuant to 19 CFR 353.28(b)(1994), from Mannesmannröhren-Werke AG (MRW) and petitioner, alleging certain ministerial errors in the Department's determination. We determined, in accordance with 19 CFR 353.28(d), that a ministerial error was made with respect to the margin used as uncooperative best information available. We determined that we inadvertently used the highest margin alleged in the original petition, rather than the highest margin alleged in the revised petition. For a detailed discussion of the alleged ministerial error and the Department's analysis, see the Memorandum from the Team to

Barbara R. Stafford dated July 13, 1995. In accordance with 19 CFR 353.28(c), we are amending the final result of the antidumping duty investigation of seamless pipe from Germany to correct the above-cited ministerial error. The revised final weighted-average dumping margins are as follows:

Manufacturer/pro- ducer/exporter	Original margin percent	Revised margin percent
MRW .....	58.23	57.72
All Others .....	58.23	57.72

### Scope of Investigation and Order

The scope of this investigation includes small diameter seamless carbon and alloy standard, line and pressure pipes (seamless pipes) produced to the ASTM A-335, ASTM A-106, ASTM A-53 and API 5L specifications and meeting the physical parameters described below, regardless of application. The scope of this investigation also includes all products used in standard, line, or pressure pipe applications and meeting the physical parameters below, regardless of specification.

For purposes of this investigation, seamless pipes are seamless carbon and alloy (other than stainless) steel pipes, of circular cross-section, not more than 114.3 mm (4.5 inches) in outside diameter, regardless of wall thickness, manufacturing process (hot-finished or cold-drawn), end finish (plain end, bevelled end, upset end, threaded, or threaded and coupled), or surface finish. These pipes are commonly known as standard pipe, line pipe or pressure pipe, depending upon the application. They may also be used in structural applications. Pipes produced in non-standard wall thicknesses are commonly referred to as tubes.

The seamless pipes subject to these investigations are currently classifiable under subheadings 7304.10.10.20, 7304.10.50.20, 7304.31.60.50, 7304.39.00.16, 7304.39.00.20, 7304.39.00.24, 7304.39.00.28, 7304.39.00.32, 7304.51.50.05, 7304.51.50.60, 7304.59.60.00, 7304.59.80.10, 7304.59.80.15, 7304.59.80.20, and 7304.59.80.25 of the Harmonized Tariff Schedule of the United States (HTSUS).

The following information further defines the scope of this investigation, which covers pipes meeting the physical parameters described above:

**Specifications, Characteristics and Uses:** Seamless pressure pipes are intended for the conveyance of water, steam, petrochemicals, chemicals, oil products, natural gas and other liquids

and gasses in industrial piping systems. They may carry these substances at elevated pressures and temperatures and may be subject to the application of external heat. Seamless carbon steel pressure pipe meeting the American Society for Testing and Materials (ASTM) standard A-106 may be used in temperatures of up to 1000 degrees fahrenheit, at various American Society of Mechanical Engineers (ASME) code stress levels. Alloy pipes made to ASTM standard A-335 must be used if temperatures and stress levels exceed those allowed for A-106 and the ASME codes. Seamless pressure pipes sold in the United States are commonly produced to the ASTM A-106 standard.

Seamless standard pipes are most commonly produced to the ASTM A-53 specification and generally are not intended for high temperature service. They are intended for the low temperature and pressure conveyance of water, steam, natural gas, air and other liquids and gasses in plumbing and heating systems, air conditioning units, automatic sprinkler systems, and other related uses. Standard pipes (depending on type and code) may carry liquids at elevated temperatures but must not exceed relevant ASME code requirements.

Seamless line pipes are intended for the conveyance of oil and natural gas or other fluids in pipe lines. Seamless line pipes are produced to the API 5L specification.

Seamless pipes are commonly produced and certified to meet ASTM A-106, ASTM A-53 and API 5L specifications. Such triple certification of pipes is common because all pipes meeting the stringent A-106 specification necessarily meet the API 5L and ASTM A-53 specifications. Pipes meeting the API 5L specification necessarily meet the ASTM A-53 specification. However, pipes meeting the A-53 or API 5L specifications do not necessarily meet the A-106 specification. To avoid maintaining separate production runs and separate inventories, manufacturers triple certify the pipes. Since distributors sell the vast majority of this product, they can thereby maintain a single inventory to service all customers.

The primary application of ASTM A-106 pressure pipes and triple certified pipes is in pressure piping systems by refineries, petrochemical plants and chemical plants. Other applications are in power generation plants (electrical-fossil fuel or nuclear), and in some oil field uses (on shore and off shore) such as for separator lines, gathering lines and metering runs. A minor application of this product is for

use as oil and gas distribution lines for commercial applications. These applications constitute the majority of the market for the subject seamless pipes. However, A-106 pipes may be used in some boiler applications.

The scope of this investigation includes all seamless pipe meeting the physical parameters described above and produced to one of the specifications listed above, regardless of application, and whether or not also certified to a non-covered specification. Standard, line and pressure applications and the above-listed specifications are defining characteristics of the scope of this investigation. Therefore, seamless pipes meeting the physical description above, but not produced to the A-335, A-106, A-53, or API 5L standards shall be covered if used in a standard, line or pressure application.

For example, there are certain other ASTM specifications of pipe which, because of overlapping characteristics, could potentially be used in A-106 applications. These specifications generally include A-162, A-192, A-210, A-333, and A-524. When such pipes are used in a standard, line or pressure pipe application, such products are covered by the scope of this investigation.

Specifically excluded from this investigation are boiler tubing and mechanical tubing, if such products are not produced to A-335, A-106, A-53 or API 5L specifications and are not used in standard, line or pressure applications. In addition, finished and unfinished OCTG are excluded from the scope of this investigation, if covered by the scope of another antidumping duty order from the same country. If not covered by such an OCTG order, finished and unfinished OCTG are included in this scope when used in standard, line or pressure applications. Finally, also excluded from this investigation are redraw hollows for cold-drawing when used in the production of cold-drawn pipe or tube.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

#### Antidumping Duty Order

On July 26, 1995, in accordance with section 735(d) of the Act, the U.S. International Trade Commission (ITC) notified the Department that imports of seamless pipe from Germany materially injure a U.S. industry. Therefore, in accordance with section 736 of the Act, the Department will direct United States Customs officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act,

antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the United States price for all entries of seamless pipe from Germany. These antidumping duties will be assessed on all unliquidated entries of seamless pipe from Germany entered, or withdrawn from warehouse, for consumption on or after January 27, 1995, the date on which the Department published its preliminary determination notice in the **Federal Register** (60 FR 5355).

On or after the date of publication of this notice in the **Federal Register**, U.S. Customs officers must require, at the same time as importers would normally deposit estimated duties, the following cash deposits for the subject merchandise:

Manufacturer/producer/exporter	Weighted-average margin percentage
Mannesmannrohren-Werke AG ....	57.72
All Others .....	57.72

This notice constitutes the antidumping duty order with respect to seamless pipe from Germany, pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 353.21.

Dated: July 28, 1995.

**Susan G. Esserman,**  
Assistant Secretary for Import Administration.

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[A-475-814]

#### Notice of Antidumping Duty Order: Certain Small Diameter Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe From Italy

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**EFFECTIVE DATE:** August 3, 1995.

**FOR FURTHER INFORMATION CONTACT:** Irene Darzenta or Dolores Peck, Office of Antidumping Duty Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-6320 or (202) 482-4929, respectively.

#### Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

#### Case History

In accordance with section 735(a) of the Tariff Act of 1930, as amended (the Act), on June 12, 1995, the Department made its final determination that certain small diameter seamless carbon and alloy steel standard, line and pressure pipe (seamless pipe) from Italy is being, or is likely to be, sold in the United States at less than fair value (60 FR 31981, June 19, 1995). After publication of this determination, we received a submission, timely filed pursuant to 19 CFR 353.28(b)(1994), from Dalmine S.p.A. (Dalmine), alleging certain ministerial errors in the Department's determination. We also received a timely rebuttal of respondent's ministerial error allegations from the petitioner. We determined, in accordance with 19 CFR 353.28(d), that no ministerial errors were made. For a detailed discussion of the alleged ministerial errors and the Department's analysis, see the Memorandum from the Team to Gary Taverman dated July 17, 1995.

#### Scope of Investigation and Order

The scope of this investigation includes small diameter seamless carbon and alloy standard, line and pressure pipes (seamless pipes) produced to the ASTM A-335, ASTM A-106, ASTM A-53 and API 5L specifications and meeting the physical parameters described below, regardless of application. The scope of this investigation also includes all products used in standard, line, or pressure pipe applications and meeting the physical parameters below, regardless of specification.

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